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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of October 09, 2009***2009-00006**

RECEIVED: 01/13/09

FILED: 01/13/09

FINAL:

REOPENED:

SUSPENSION DATE:

CASE NATURE: Rough 1 Site; Leo Bowlds Road, Hardinsburg

**CASE CODE**

Construct Cell Site - No P&amp;Z Commission

**UTILITIES:**

Powertel/Memphis, Inc. dba T-Mobile c/o T-Mobile USA, Inc.

INTERVENORS: Henning

**HEARINGS:**

10/22/09\* Formal Hearing

04/07/09 Informal Conference

**INDEX OF EVENTS:**

(M)01/13/09 APPLICATION OF POWERTEL/MEMPHIS INC DBA T-MOBILE FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT AN ADDITIONAL CELL FACILITY AT LEO BOWLDS ROAD, HARDINSBURG, BRECKINRIDGE COUNTY, KENTUCKY / W. Brent Rice

01/14/09 Acknowledge Receipt of Filing

01/21/09 Deficiency Letter, Information Due 2/5/2009

(M)01/21/09 James and Nancy Henning's Letter of Concern / James and Nancy Henning

(M)01/27/09 Letter of concern from Marcus Burgher / Marcus Burgher

(M)01/27/09 Supplement to application from Powertel / W. Brent Rice

01/29/09 Deficiency Cured Letter

02/04/09 Response letter to Mr & Mrs Henning

02/04/09 Response letter to Marcus Burgher

(M)02/20/09 James and Nancy Henning's Letter Regarding Question's and Concerns to Applicant / James and Nancy Henning

(M)02/26/09 Powertel's Correspondence with Mr. and Mrs. Henning / W. Brent Rice

(M)03/02/09 James and Nancy Henning's Motion for Full Intervention / James and Nancy Henning

03/17/09 Order Entered: Motion for full intervention is granted and James s Henning and Nancy Henning are hereby made parties to these proceedings: An informal conference will be held on April 7, 09 at 1 in Conference Room 1 of the PSC offices.

04/13/09 Memorandum dated 4/13/09 for Informal Conference of 4/07/09; Comments, if any, due within five days of receipt

(M)04/14/09 Nancy Henning's Aerial Photos Presented at Informal Hearing / James and Nancy Henning

04/22/09 Order Entered; Intervenor shall file with the PSC within 20 days of the date of this Order: List of specific suitable and acceptable alternative locations for construction or collocation other than the proposed site where the proposed cell facility might be located or constructed Intervenor shall not produce evidence regarding any suitable and acceptable alternative sites at the hearing except those locations of record properly identified in this paragraph: With the list of alternative Cell Facility locations the Intervenor shall also file with the PSC a statement of whether they intend to appear at a formal hearing if scheduled in this proceeding to present evidence against the construction of the proposed Cell Facility: Intervenor shall file with the PSC an original and 5 of all statements pleadings and evidence and shall also be served upon T Mobile & T Mobiles counsel: T Mobile shall have a period of 15 dyad from the date of the Intervenor's filing of the information described above to respond to the Intervenor's proposed alternative locations: The FCC has exclusive jurisdiction over issues regarding radio frequency interference and radio frequency emissions This PSC will not receive any evidence regarding this matter in a hearing if so scheduled because it is without authority to consider such evidence

(M)05/14/09 James and Nancy Henning's list of alternative locations for proposed cell facility / James and Nancy Henning

(M)05/15/09 Powertel/Memphis Motion to Submit Matter for Approval on the Record / W. Brent Rice

05/21/09 Order Entered: Motion to submit the matter for approval is denied: Suitable site information is deemed filed: Applicant shall have until June 5, 09 to file its responses to the suitable alternative sited filed by the Intervenor The responses should contain the information set out in the PSC April 22, 09 Order

(M)06/05/09 Powertel/Memphis' Response to Intervenor's' List of Proposed Alternative Locations and Motion to Submit Application for Approval on the Record / W. Brent Rice

08/12/09 Order Entered: A hearing on the proposed cell facility is scheduled for Oct 22, 09 at 9: On or before Sept 24, 09 each party shall file with the PSC a list of witnesses it proposes to produce at hearing together with a brief summary as an offer of proof for each witness: On or before Oct 13, 09 each party shall file with the PSC a list of exhibits it proposes to produce at Hearing: T-Mobile shall appear a the

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hearing and shall be prepared to address at a minimum the following issues: Public necessity for the construction of the facility: Jurisdictional safety issues design engineering and construction including the suitability and preparation of the cell facility

(M)09/22/09

James and Nancy Henning's List of Witnesses / James and Nancy Henning

(M)09/25/09

Powertel/Memphis' Witness List to be Produced at Hearing / W. Brent Rice

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Total Number of Cases: 1